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The Hon. Lorna Schofield, U.S.D.J.
Southern District of New York

(by email)

In re 10-cv-3959 filing of Objections to R&R ECF 97

Dear Judge Schofield:

Yesterday your honor ordered that our objections to Magistrate Maas's Recommendation must be filed on ECF no later than 3:00pm today.

Because papers "below" on the Magistrate's docket appear to still be under seal, from what we can tell of the docket, and because our objections may implicate, and do discuss, those documents at least somewhat, and because opposing counsel Mr. Saurack is litigious about this subject matter, at 2:57pm today we "filed" it with chambers under the Sealed Document filing provision of your Local Rules, with the understanding that we don't want it sealed at all, we see no reason for any of it even to be redacted, but out of caution and professional relations with Mr. Saurack we believe he should have a chance to read it before it's made public. If we do not hear back from Mr. Saurack by Monday with any objection, and do not hear otherwise from chambers, we will upload the identical file, which may be confirmed by the /A metadata, at the end of the day, otherwise we will deliver hardcopy to chambers on the presumption that he will be moving to seal and file a publicly redacted version.

As this doesn't fit the Individual Rule, I am uploading this by ECF so there is public notice..

/s/ Frederick M. Oberlander
Counsel for Plaintiffs

/s/ Richard E. Lerner
Co-Counsel